

Application No. 10/772,560 — Reasons for Pre-Appeal Brief Request for Review



Presently, claim 1, upon which claims 2 and 11 depend, reads as follows:

1. A drag harness comprising two arm loops, each of which has a fixed length and is adapted to receive a separate arm of a wearer, and a drag grip, which is joined to the arm loops solely at a common juncture and which is adapted to extend above the shoulders of the wearer and behind the head of the wearer, if the wearer is standing, whereby a rescuer grasping the drag grip can drag the wearer, via the drag harness, if the wearer is lying in a supine position, whereby the drag harness is made from a single length of strapping.

Respectfully, the undersigned attorney traverses the examiner's rejection of claims 1 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Schweer (US 6,658,666 B2). To explain that rejection, the examiner has written that "Schweer in fig. 7A shows the claimed harness" and that "[t]o make their arm loops and drag grips from a single length of strapping, would have been an obvious mechanical expedient."

A copy of Figure 7A of Schweer is appended, on which the elements that the examiner seems to have equated with the arm loops and drag grip of the claimed harness have been highlighted in red ink. The examiner has not explained and the undersigned attorney does not comprehend where a single length of strapping might be cut, arranged so as to cross itself or so as to meet itself, and joined to itself, or might be employed otherwise, so as to provide the Schweer harness. The undersigned attorney submits, therefore, that it would not have been an obvious mechanical expedient to make the Schweer harness from a single length of strapping.

Respectfully, the undersigned attorney traverses the examiner's rejection of claims 1, 2, and 11 under 35 U.S.C. § 103(a) as being unpatentable over Schoenbrun (US 2,568,304). To explain that rejection, the examiner has written that "Schoenbrun shows arm loops 3,B and 2,A and a drag grip 10" and that "[t]o make their arm loops and drag grips from a single length of strapping, would have been an obvious mechanical expedient."

A copy of the drawing page of Schoenbrun is appended, on which the elements that the examiner seems to have equated with the arm loops and drag grip of the claimed harness have been highlighted in red ink. The examiner has not explained and the undersigned attorney does not comprehend where a single length of strapping might be cut, deployed so as to cross itself or so as to meet itself, and joined to itself, or might be employed otherwise, so as to provide the Schoenbrun harness. The undersigned attorney submits, therefore, that it would not have been an obvious mechanical expedient to make the Schoenbrun harness from a single length of strapping.

There being no other rejection of claim 1, upon which claims 2 and 11 depend, the undersigned attorney submits that claims 1, 2, and 11 are patentable and should be now allowed.

Respectfully submitted,

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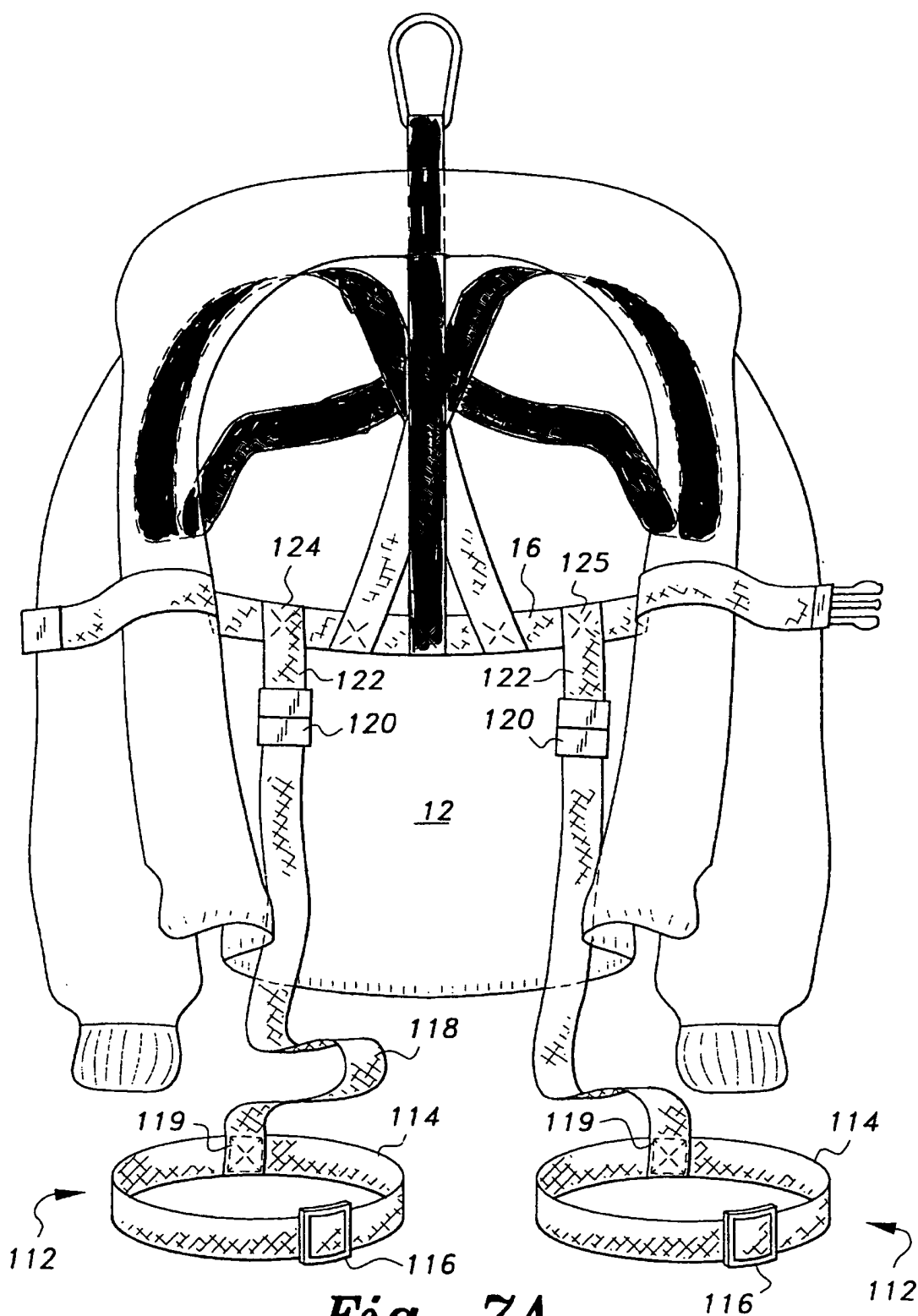


Fig. 7A

Sept. 18, 1951

N. SCHOENBRUN

2,568,304

CHILD RESTRAINER

Filed Feb. 14, 1947

FIG 1.



FIG 2.

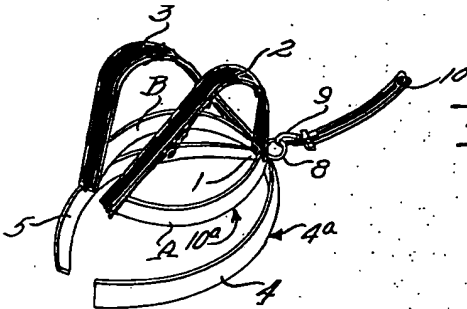
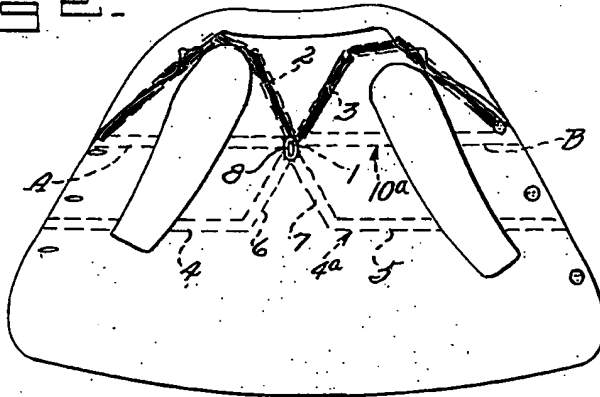


FIG 3.

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